

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF IOWA

CENTRAL DIVISION

LORI NICHOLSON and WILLIS W. NICHOLSON,
Plaintiffs,

BIOMET, INC.; BIOMET ORTHOPEDICS, LLC; BIOMET
MANUFACTURING CORP.; and BIOMET U.S.
RECONSTRUCTION, LLC,
Defendants.

HEARING MINUTES

Sealed: No

Case No.: 18-cv-3057-CJW-KEM
Presiding Judge: C.J. Williams
Deputy Clerk: Daniel Moeller

Official Court Record: Patrice Murray Contract? No
Contact Information: Patrice_murray@iand.uscourts.gov

Date:	11/9/2020	Start:	8:29 AM	Adjourn:	5:17 PM	Courtroom:	Cedar Rapids, Courtroom 3			
Recesses:	10:29 AM-10:45 AM; 1:18 PM-2:02 PM; 3:56 PM-4:10 PM				Time in Chambers:	--		Telephonic?	No	
Appearances:	Plaintiff(s):	Jeff Haberman, Bryan Hofeld, Sarah Schultz								
	Defendant(s):	Joe Price, Tom Joensen, Justin Cashman (Biomet representative), Stephanie Russo								
	US Probation:	---								
	Interpreter:	---		Language:	---	Certified:	---	Telephone:	---	
TYPE OF PROCEEDING:				IS THE HEARING		Contested?	Yes	Continued from a previous date? No		
TRIAL:	Jury:	X	Non-jury:		Day:	1				
	Motion(s):	---				Ruling:	---			
	Time:	Event:								
	8:25 AM-9:01 AM	Pre-trial conference with parties. The Court addressed jury selection questions from the parties. The Court distributed jury instructions, including a final draft of Instruction Nos. 1-19. Plaintiffs had no objections. Defendants objected to No. 17 and what was previously posed as No. 20. Court overruled objections at this time, defendants can renew objections later. Court addressed motions in limine (Doc. 385). The motions in limine are granted in part, denied in part, and held in abeyance in part Court addressed deposition designations.								
	9:08 AM-9:12 AM	Jury brought in.								
	9:12 AM-10:27 AM	Initial jury oath administered. Voir dire.								
	10:27 AM	Jury excused for recess.								
	10:27 AM-10:29 AM	Outside the presence of jury.								
	10:29 AM-10:46 AM	Recess.								
	10:47 AM	Jury brought back in.								
	10:47 AM-12:45 PM	Voir dire continues. Motions to dismiss for cause.								
	12:45 PM	Jury excused.								
	12:45 PM-1:02 PM	Outside presence of the jury. Parties given time to discuss peremptory strikes. Peremptory strikes exercised.								
	1:02 PM-1:06 PM	Jury brought back in. Final jury sworn in. Jury excused for lunch until 2:20 PM.								
	1:07 PM -1:11 PM	Outside the presence of the jury. Discussed schedule for the rest of the day and deposition designations.								
	1:11 PM-1:19 PM	Recess.								
	1:19 PM-1:21 PM	Outside presence of the jury. Discussed demonstrative aides.								

1:21 PM-2:02 PM	Recess.
2:02 PM-2:20 PM	Outside the presence of the jury. Discussed objections to demonstratives. Discussed objections to deposition designations.
2:24 PM	Jury brought back in.
2:25 PM-2:51 PM	Read jury instructions.
2:52 PM-3:53 PM	Plaintiffs' opening statement.
3:54 PM	Jury excused for recess
3:55 PM-3:56 PM	Outside the presence of the jury. Brief discussion on order in limine issue.
3:56 PM-4:12 PM	Recess.
4:12 PM	Jury brought back in.
4:12 PM-5:12 PM	Defense opening statement.
5:14 PM	Jury excused.
5:14 PM-5:17 PM	Outside the presence of the jury. Discussed daily scheduling.
5:17 PM	Recess.
Verdict:	To be filed at conclusion of trial.
Witness/Exhibit List is	To be filed at conclusion of trial.